

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

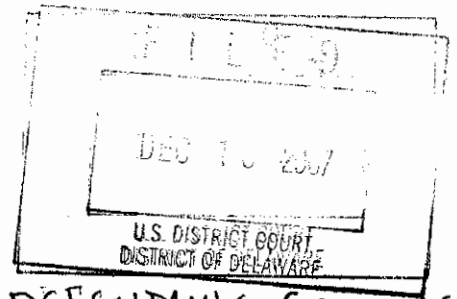
Adam Hackett

Plaintiff,

v.

CORRECTIONAL MEDICAL SERVICES
Defendants.

C.A. NO. 06-426 ***



MOTION FOR SANCTIONS AGAINST DEFENDANTS COUNSEL

Plaintiff moves that COURT Pursuant to Superior Court Civil Procedure Rule 11 and 37 to impose sanctions against Defendants concerning Defendants Medical Records.

IN support of Plaintiffs Motion the following is asserted

1. Plaintiff filed this action as a result of Defendants Deliberate Indifference and negligence to his medical needs.
2. Plaintiff moved for discovery of his own medical files and Defendants Attorney has asserted "A Reverse Medical Record Confidentiality". IN that Defendants have the legal and rightful legal right to impose limitations on production.
3. Defendants Attorney (AMY A. Quinlan) asserts that: Plaintiff (a) must sign a Confidentiality Agreement that is to Sanction if he reveals his own medical Records to anyone else, and (b) if Plaintiff does release his own medical Records to anyone else including his own family another Attorney; legal and; human rights Organizations etc. that Plaintiff will be liable for \$5000⁰⁰/₁₀₀ to Defendants for each release violation.

See Attached Letter dated October 19th 2007 Exhibit A.

4. Plaintiff moves for Sanctions against Defendants, that they immediately turn over all Plaintiffs Medical Records to plaintiffs family members: All discover deadlines be extended: Court appoint Counsel for Plaintiff to help him deal with this situation. The Attorney be disbarred for 1 year from Law Practice.

There fore, Plaintiff request the Court Grant, the above Requested Sanctions and any additional Relief that may be got.

Respectfully Submitted,

Adam Hackett

12-07-07

Exhibit A

CONFIDENTIALITY AGREEMENT

WHEREAS, there is currently a claim asserted by ADAM HACKETT against
Correctional Medical Services, Inc.;

WHEREAS, in the course of discovery of documents from Correctional Medical
Services, Inc., ADAM HACKETT has requested copies of medical records from the
time of his incarceration at Delaware Correctional Center;

WHEREAS, Correctional Medical Services, Inc. by its undersigned counsel has only
agreed to voluntarily provide ADAM HACKETT a copy of said records provided this
confidentiality agreement is executed.

NOW, THEREFORE, it is agreed as follows:

1. Any documents obtained by ADAM HACKETT from Correctional Medical
Services, Inc. shall not be further copied or disseminated to anyone else, including
but not limited to inmates of Delaware Correctional Center, except as provided by the
following exceptions:

- a. Members of any law firm representing ADAM
HACKETT and any persons employed by them assisting in the
prosecution of the claim may have access to the documents or materials
but shall not make additional copies, and
- b. Copies may be made for and provided to experts consulted by ADAM
HACKETT provided further that said experts:
 - (i) Sign a subscription to observe this Confidentiality Agreement;
 - (ii) Have that subscription available for inspection at the time
of deposition, if applicable; and

Exhibit A

(iii) Not be engaged as employees or consultants by other
correctional facility healthcare providers; and

c. Copies may be made for use as trial or deposition exhibits.

2. All copies in the possession of ADAM HACKETT or those to whom he disseminated copies, shall be returned to counsel for Defendant CMS at the conclusion of the case.
3. Inasmuch as actual damages from a breach of this agreement will not be susceptible to precise determination, each and every breach of this Agreement shall entitle Correctional Medical Services, Inc. to recover liquidated damages in the sum of \$5,000.00 from ADAM HACKETT.

Signed, sealed and delivered this day of _____, 2007.

AGREED AND ACCEPTED:

By: _____
ADAM HACKETT

Witness

Witness

IM Adam Hackett
 SBI# 329697 UNIT MHU-22B-1
 DELAWARE CORRECTIONAL CENTER
 1181 PADDOCK ROAD
 SMYRNA, DELAWARE 19977

Office Clerk

United States District Court
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Wilmington, DE
19801



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